



Homeland
Security



9th DISTRICT LOCAL NOTICE TO MARINERS 04/05 WEEKLY EDITION 2005

25 January 2005

Issued by: Commander (oan)
Ninth Coast Guard District
1240 East Ninth Street,
Cleveland, OH 44199-2060
Telephone: (216) 902-6069

Numbers within brackets [/] refer to the LNM where information was first printed. Direct questions about this LNM to the above address. The Weekly Supplemental editions of the Local Notice to Mariners contain only information subsequent to the issue date of the Monthly edition. To ensure having complete information concerning the waterways within the Ninth Coast Guard District, consult Monthly Edition 01/05.

District Nine Internet Address <http://www.uscg.mil/d9/uscgd9.html>

** NIS watchstander, 24 hours a day at (703) 313-5900 ** **Internet Address** <http://www.navcen.uscg.gov/>

Light List Reference: Commandant Publication P16502.7, VOL VII, 2004 Edition / Coast Pilot Reference: 2004 U.S. Coast Pilot 6 Great Lakes 34th Edition

Coast Pilot Corrections Reference download web page: <http://nauticalcharts.noaa.gov/nsd/cpdownload.htm>

The Local Notice to Mariners is available on the Internet at <http://www.navcen.uscg.gov/lnm/d9/default.htm>. You will also have links to other government agencies' web pages including the US Army Corps of Engineers and the National Ocean Service.

REPORT DISCREPANCIES IN AIDS TO NAVIGATION TO THE NEAREST COAST GUARD UNIT

The Ninth District and all Group offices for their areas of responsibility issue a **BROADCAST NOTICE TO MARINERS**.

The following *Broadcast Notice to Mariners* have been incorporated into this week's Local Notice to Mariners:

Group Buffalo, NY	B003-05	through	B003-05	Ninth District	C001-05	through	C002-05
Group Detroit, MI	D008-05	through	D011-05	Group Grand Haven, MI	G001-04	through	G004-05
Group Milwaukee, WI	M013-05	through	M021-05	Group Sault Ste Marie, MI	S014-05	through	S017-05

I. SPECIAL NOTICES

USACE NOTICE TO NAVIGATION INTERESTS

The following Federal Channels have conditional surveys recently completed and can be seen at the USACE Detroit District web site at

<http://www.lrc.usace.army.mil/OandM/o&m.html>, the USACE Chicago District website at: <http://www.lrc.usace.army.mil>, and the USACE Buffalo District website at:

<http://www.lrb.usace.army.mil/waterways/survey/survey.html>

Detroit River MI [04/05]

LAKE ERIE - Fairport Harbor - Shoaling - Chart 14837

Shoaling has been reported in the vicinity of the Western Approach to the Fairport Harbor Breakwaters. In posit 41-46.248N, 081-16.824W, depth was reported to be 18ft. All mariners are urged to use caution while transiting the area. [43/04]

LAKE ERIE, DETROIT RIVER, LAKE ST. CLAIR, ST. CLAIR RIVER, LAKE HURON, SAGINAW BAY - Severe Ice Conditions - Charts 14820 and 14860

Due to the existing severe ice condition in the Group/ MSO Detroit area of Responsibility and the threat it poses to mariners and the port, special measures are necessary. All tugs and barges intending to transit through the Group Detroit area of responsibility (including the U.S. waters in Lake Erie, The Detroit - St. Clair River corridor, Lower Lake Huron, and Saginaw Bay) must give advance notice six hours prior to the scheduled dock departure or entrance into The Group Detroit Area of responsibility. These same vessels must also file a transit plan with the Cognizant U.S. Coast Guard Captain of the Port. This transit plan shall include detailed information on the tug and barge, the master's experience, and voyage plans. A form for submitting this plan may be obtained from the Cognizant Captain of the Port or the Group Detroit Operations Center. Plans submitted for review would demonstrate a high level of confidence that a safe transit through each COTP zone is likely to occur within the confines of the vessel and crew capabilities. A Captain of the Port decision will be made based on the submission of the faxed tug and barge transit plan. The requirements still remain for vessels to inform Sarnia traffic in advance of their proposed transit and to arrange for ice breaking support. This system will remain in effect until the present ice condition abates. [02/05]

LAKE HURON - Straits of Mackinac - Water Closure - Chart 14881

In accordance with 33 CFR 165.901 Captain of the Port Sault Ste Marie will close the waters between Cheboygan, Michigan and Bois Blanc Island known as the South Channel effective 0900 EST 18 Jan 05. [03/05]

LAKE HURON - Straits of Mackinac - Water Closure - Chart 14881

In accordance with 33 CFR 165.901 Captain of the Port Sault Ste Marie will close the waters between St. Ignace, Michigan and Mackinac Island effective 0900 EST 18 Jan 05. [03/05]

GREEN BAY, WI - Menominee River - Uncharted Shoal - Chart 14917

The Coast Guard advises all vessels transiting to Marinette/Menominee that an uncharted shoal has developed at the entrance to the Menominee River just south of the red Menominee Entrance Buoy 2 and extending South Westerly to the channel's centerline. On December 2, 2004, unofficial soundings measured the depth above the shoal at 21.7 feet in approximate position 45 06.001' N, 087 34.613' W. Depths of 20-23 feet were also found in the channel extending eastward from the Ogden Street Bridge. Mariners are reminded that the charted depth of the channel as shown on NOAA chart 14917 is 20.0 feet and any attempts to enter the channel at a greater draft are not prudent. Questions can be directed to MSO Milwaukee at 414-747-7155 or, after hours, 414-747-7182. [51/04]

LAKE MICHIGAN – Various Navigation Areas – Ice Covered – Charts 14903, 14904, 14905

Many of the aids to navigation on Lake Michigan's eastern shore from North Fox Island to Calumet Harbor, especially pierhead and breakwall lights, are covered with ice and may be showing at reduced intensity or be completely obscured. All mariners are advised to use caution when transiting these areas. [04/05]

LAKE MICHIGAN – Chicago, IL- Chicago Sanitary and Ship Canal – Chart 14927

Mariners are advised that the Chicago Sanitary and Ship Canal closure has been amended. The canal remains closed from the Cicero Avenue Bridge, mm 317.4 to the Belt Railroad Bridge at mm 317.6, but is now open between mm 314 and Cicero Avenue Bridge. Mariners are advised to transit with caution between the South Central Avenue Bridge at mm 316.2 and the Cicero Avenue Bridge at mm 317.4 and not disturb the oil containment boom that is positioned on the left descending bank. Mariners are also advised that a submerged fuel tank is located approximately 25 feet from the seawall at Koch Pavement located on the left descending bank at mm 317.1. For further information contact MSO Chicago at 630 986-2175. [04/05]

LAKE MICHIGAN – Chicago Sanitary Ship Canal – Chart 14905

Mariners are advised to use extreme caution when transiting the area in the vicinity of the electric fish barrier located at MM 296.5 on the Chicago Ship and Sanitary Canal due to the potential for electrical discharges between metal components onboard barges transiting the area. Recent testing has verified the occurrence of electrical discharges. As a result, the COTP Chicago advises towboats not make or break tows from the North side of the Romeo Road Bridge to the Pipeline Arch located at MM 296.7. In Addition, Mooring or laying up on the right or left descending bank from the north side of the Romeo Rd Bridge to the Pipeline Arch at MM 296.7 is highly discouraged. The COTP further advises that towboats should avoid passing in the vicinity of the fish barrier, and tows transiting the area be made up with wire ropes to ensure electrical connectivity between all portions of the tow. [02/05]

LAKE MICHIGAN – Michigan City Harbor, IN – Shoaling – Chart 14905 and 14926

Shoaling has been reported in the mouth of trail creek, Michigan City, IN [53/04]

LAKE MICHIGAN – Holland Channel, Holland, MI – Shoaling – Chart 14906 and 14932

The Coast Guard has a report of significant shoaling inside the Holland channel. The Depth of water has been reported to be 14 to 15 feet just inside the breakwall. The Army Corps of Engineers will conduct soundings after the holidays. All vessels should transit the area with caution. [53/04]

ST. MARYS RIVER – Munuscong Lake to Sault Ste Marie - Shoaling – Charts 14883,14884

The US Army Corps of Engineers have located shoaling in the vicinity of the Bayfield Dike Light. Shoals as much as 1.5 ft above the project depth of 28 ft have been observed. The shoaling area is located approximately 850 feet west of the Bayfield Dike Light, 500 feet long and 40 feet towards the channel. Mariners are advised to use caution when transiting this area. [34/04]

ST. MARYS RIVER – Lake Nicolet to Munuscong Lake – Channel Closure – Chart14883

In accordance with 33 CFR 162.17 Captain of the Port Sault Ste Marie will close the West Neebish Channel. Alternating one way traffic will be established in the Munuscong and Middle Neebish Channels, effective 1300 local 22 Jan 2005. [04/05]

II. DISCREPANCIES IN AIDS TO NAVIGATION as of 1000 January 25, 2005

This section lists all changes to discrepancies. The following abbreviations are used:

B	Buoy	BKW	Breakwater	(C)	Canadian Aid
CHL	Channel	DAM	Damaged	DAYBD	Dayboard
DBN	Daybeacon	DECOM	Decommissioned	DISCON	Discontinued
ENT	Entrance	ESTB	Established	EXT	Extinguished
F/S	Fog Signal	HBR	Harbor	IMCH	Improper Characteristic
INOP	Inoperative	JCT	Junction	LB	Lighted Buoy
LBB	Lighted Bell Buoy	LGB	Lighted Gong Buoy	LHB	Lighted Horn Buoy
LIB	Lighted Ice Buoy	LT	Light	LWP	Left Watching Properly
OBST	Obstruction	OFFSTA	Off Station	MSLDG	Misleading
(P)	Private Aid	PARSUB	Partially Submerged	PAROBSC	Partially Obscured
PHD	Pierhead	RBN	Radiobeacon	RAC	Racon
DIM	Reduced Intensity	RELDRG	Relocated for dredging	RELSHL	Relocated for Shoaling
RELCON	Relocated for Construction	RF	Range Front	RPTD	Reported
RR	Range Rear	(SLS)	St. Lawrence Seaway Devel Corp	SND CONT	Sounding Continuously
SUBMGD	Submerged	TRUB	Temporarily Replaced With A B	TRLB	Temporarily Replaced With A LB
TRLT	Temporarily Replaced With A Light	W/M	Winter Mark		

A. RECENT DISCREPANCIES

LLNR	Name of aid	Status	Charts Affected	BNM Ref.	LNM Ref.
2075	OSWEGO HBR E BKW LT	STRUCTURE DAM	14813	B165-04	52/04
3450	DUNKIRK HBR B 9	OFFSTA	14823	B089-04	15/04
4120	E BSN CHL B 8	PARSUB	14839	D237-04	53/04
6050	MAUMEE BAY ENTR LT 2	LT EXT	14847	D233-04	50/04
6145	MAUMEE BAY B 19	OFFSTA	14847	D239-04	54/04
10605	SAGINAW BAY LB 6	SUBMGD	14867	D008-05	03/05
10615	SAGINAW BAY LB 8	SUBMGD	14867	D008-05	03/05
10620	SAGINAW BAY LB 9	SUBMGD	14867	D008-05	03/05
11870	CHEBOYGAN RVR DBN 18	MISSING	14881		51/04
12580	ROUND ISL PASS LT	LT EXT	14881	S005-05	02/05
13070	MUNUSCONG CHL LIB 9	OFFSTA	14883	S233-04	01/05
18720	MUSKEGON N BKW LT	LT ENCASED IN ICE	14934	G002/3-05	03/05
20805	GENERATING STA S INTAKE CRIB LT 6 (P)	LT EXT	14903	M316-04	53/04
21610	MINNEAPOLIS SHL LT	LT EXT	14908	M018-05	04/05

B. DISCREPANCIES CORRECTED

LLNR	Name of aid	Status	Charts Affected	BNM Ref.	LNM Ref.
13185	DARK HOLE W RR LT	LT EXT	14883	S008-05	03/05

III. TEMPORARY CHANGES IN AIDS TO NAVIGATION as of 1000 January 25, 2005**A. TEMPORARY CHANGES**

LLNR	Name of aid	Status	Charts Affected	BNM Ref.	LNM Ref.
4350	LORAIN HBR LT 6	TEMP RELCON	14841		35/03
6450	LUNA PIER MARINA BKW LT 1 (P)	TEMP DISCON	14846	D224-01	23/01
6455	LUNA PIER MARINA BKW LT 2 (P)	TEMP DISCON	14846	D224-01	23/01
14540	LITTLE LAKE HBR LT 2	TEMP DISCON	14962	S046-03	06/03
19002	GRAND RIVER B 3B	TEMP ESTB	14933		26/04
21305	PLUM ISL FR LT	TEMP LT DIM/CHAR CHNG TO Q FL	14909	M231-04	33/04
21310	PLUM ISL RR LT	TEMP LT DIM/CHAR CHNG Iso 6s	14909	M230-04	33/04
21591	LITTLE FISHDAM RIVER ACCESS LT (P)	TEMP DISCON	14908	M050-01	09/02

B. RECENT TEMPORARY CHANGES CORRECTIONS

LLNR	Name of aid	Status	Charts Affected	BNM Ref.	LNM Ref.
NONE.					

IV. CHART CORRECTIONS

Corrective action affecting charts is contained in this section. Chart corrections are listed numerically by chart number. The correction listed pertains to that chart only. It is up to the mariner to decide what charts are to be corrected. The following example explains the individual elements of a typical correction.

Chart number	Chart edition	Edition date	Last Local Notice to Mariners	Reference datum	Source Agency of correction	Current Notice to Mariners
14922	17th ed. MANITOWOC AND SHEBOYGAN HARBORS Change	4/25/92	Last LNM 12/93	NAD 83	(CGD9)	17/93
	Corrective action	Object of corrective action			Position	
		Manitowoc South Breakwater Light to "3" Fl G 2.5s, 37ft 8 StM			44-05-29.00N	087-38-37.00W

The letter (M) immediately following the chart number indicates that the correction should be applied to the metric side of the chart only. (Temp) indicates that the chart correction action is temporary in nature. Courses and bearings are given in degrees clockwise from 000° true. Bearings of light sectors are toward the light from lakeward.

14905	30th ed.	07/03	Last LNM 47/04	NAD 83	(NOS NW-10222)	04/05
	WAUKEGAN TO SOUTH HAVEN (LORAN C)					
	Add	SECURITY ZONE 165.910 (see note A)	centered at		41-42-15.54N	087-29-49.87W
14926	10th ed.	Apr 2003	Last LNM 23/04	NAD 83	(NOS NW-10222)	04/05
	(SC) CHICAGO AND SOUTH SHORE OF LAKE MICHIGAN					
	(Chicago and Vicinity Page 12)					
	Add	SECURITY ZONE 165.910 (see note A)	centered at		41-42-15.54N	087-29-49.87W
	(Chicago And Vicinity Page 13)					
	Add	SECURITY ZONE 165.910 (see note A)	centered at		41-42-15.54N	087-29-49.87W
	(Chicago and South Shore Page 29)					
	Add	SECURITY ZONE 165.910 (see note A)	centered at		41-42-15.54N	087-29-49.87W
	(Chicago and South Shore Page 30)					
	Add	SECURITY ZONE 165.910 (see note A)	centered at		41-42-15.54N	087-29-49.87W
14927	24th ed.	02/02/02	Last LNM 31/03	NAD 83	(NOS NW-10222)	04/05
	CHICAGO LAKE FRONT (LORAN C)					
	Add	SECURITY ZONE 165.910 (see note A)	centered at		41-42-15.54N	087-29-49.87W
14929	24th ed	02/03	Last LNM 31/03	NAD 83	(NOS NW-10222)	04/05
	CALUMET AND INDIANA HARBORS					
	Add	SECURITY ZONE 165.910 (see note A)	centered at		41-42-15.54N	087-29-49.87W

V. ADVANCE NOTICE OF CHANGES TO AIDS TO NAVIGATION**Lake Erie – Upper Niagara River – Chart 14832**

The following buoy has been replaced with unlighted buoy from 07 December to May 07:

Strawberry Island Cut Lighted Buoy 1 (LLNR 2985)

The following buoys have been changed from seasonal to annual and will remain on station all year:

Strawberry Island Cut Buoy 14 (LLNR 3090)

Strawberry Island Cut Buoy 18 (LLNR 3110)

Tonowanda Channel Buoy 21 (LLNR 3140) [53/04]

VI. PROPOSED CHANGES IN AIDS TO NAVIGATION

Lake Erie – South Shore of Lake Erie – Chart 14842

The Coast Guard is proposing to...

Disestablish	Sandusky Bay Channel Buoy 1 (LLNR 5035)
	Sandusky Bay Channel Buoy 5 (LLNR 5050)
	Sandusky Bay Channel Buoy 6 (LLNR 5055)
	Sandusky Bay Channel Buoy 7 (LLNR 5060)
	Muddy Creek Buoy 10 (LLNR 5075)
	Muddy Creek Buoy 11 (LLNR 5080)
	Sandusky Bay Channel Buoy 16 (LLNR 5097)
	Sandusky Bay Channel Buoy 19 (LLNR 5105)
	Sandusky Bay Channel Buoy 22 (LLNR 5111)
	Sandusky Bay Channel Buoy 25 (LLNR 5125)
Change	Sandusky Bay Channel Buoy 3 (LLNR 5040) to Muddy Creek Bay Buoy 1 (LLNR 5035)
	Sandusky Bay Channel Buoy 4 (LLNR 5045) to Muddy Creek Bay Buoy 2 (LLNR 5040)
Rename	Muddy Creek Buoy 8 (LLNR 5065) to Muddy Creek Bay Buoy 6 (LLNR 5060)
	Muddy Creek Buoy 9 (LLNR 5070) to Muddy Creek Bay Buoy 9 (LLNR 5075) [45/04]

Lake Huron – Harbor Beach – Chart 14860

Change the following buoys from private to federal Aids to Navigation and maintained from Apr 1 to Dec 1.

Harbor Beach Marina Buoy 1 (LLNR 10195) will be lighted with Fl G 4s

Harbor Beach Marina Buoy 3 (LLNR 10200) will remain unlighted [53/04]

Lake Huron – Considered Disestablishment – Chart 14864

The Coast Guard is considering disestablishment of Sturgeon Point Light (LLNR 11345). The Lighthouse and associated building will be transferred under the National Historic Lighthouse Preservation Act. [37/04]

Lake Huron - Harbor Beach Light, On-Demand Fog Signal - Chart 14862

The Coast Guard is proposing to solarize and install an on-demand fog signal system in Harbor Beach Light (LLNR 10130). Energize the fog signal by keying VHF microphone on channel 79 five times. The changes would occur in May 2005. [45/04]

Lake Michigan – Muskegon Lake – Chart 14934

MUSKEGON S BKW LIGHT (LLNR 18705) reduce light range from 7 to 5 miles. Energize the fog signal by keying VHF microphone on channel 79 five times. The changes would occur in May 2005. [49/04]

Lake Superior – Keweenaw Waterway – Chart 14972

Change the following buoy from unlighted to lighted Fl G 4s 3 mile range:

Keweenaw Waterway Buoy 51 (LLNR 15030) [53/04]

For any comments or questions on these proposed changes please contact BMCS Sharp of the Ninth District Aids to Navigation office at (216) 902-6067.

VII. GENERAL NOTICES

LAKE ERIE – Erie Harbor – Waterways Analysis and Management System Study – Chart 14835

The Coast Guard is conducting a Waterways Analysis and Management System (WAMS) study of the Erie Harbor Waterway. The study focuses on the area's aids to navigation system, waterborne commerce, marine casualty information, port/harbor resources, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact:

Commanding Officer

USCGC Hollyhock (WLB-214)

P. O. Box 610786

Foot of Lincoln Ave.

Port Huron, MI 48061-0786

Phone: (810) 982-2684 [37/04]

WAMS Survey for all mariners in the Erie Harbor. Please take the time to fill out the online survey and add any comments you may have.

Link: <http://www.zoomerang.com/recipient/survey-intro.zgi?p=WEB2242R9J9GNZ> [02/05]

DETROIT RIVER – East and West Channel – Waterways Analysis and Management System Study – Chart 14848

The Coast Guard is conducting a Waterways Analysis and Management System (WAMS) study of the Detroit River East and West Channel Waterways. The study focuses on the area's aids to navigation system, waterborne commerce, marine casualty information, port/harbor resources, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact:

Commanding Officer

USCGC Bristol Bay (WTGB 102)

110 Mt. Elliot Ave.

Detroit, MI 48204-4380

ATTN: LTJG Jim Hiltz

Phone: (313) 568-9548 [37/04]

LAKE HURON – Alpena Harbor – Waterways Analysis and Management System Study – Chart 14864

The Coast Guard is conducting a Waterways Analysis and Management System (WAMS) study of the Alpena Harbor Waterway. The study focuses on the area's aids to navigation system, waterborne commerce, marine casualty information, port/harbor resources, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact:

Commanding Officer

USCGC Acacia (WLB-406)
 109 Bridge Park Drive
 Charlevoix, MI 49720-9999
 Phone: (231) 547-4447 [37/04]

LAKE MICHIGAN – Calumet, Indiana, and Chicago Harbor – Waterways Analysis and Management System Study – Chart 14928 and 14929

The Coast Guard is conducting a Waterways Analysis and Management System (WAMS) study of the Calumet, Indiana and Chicago Harbor Waterways. The study focuses on the area's aids to navigation system, waterborne commerce, marine casualty information, port/harbor resources, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact:

Commander
U. S. Coast Guard Group
 2420 South Lincoln Memorial Dr.
 Milwaukee, WI 53207-1997
 ATTN: ATON Officer
 Phone: (414) 747-7188 [37/04]

LAKE SUPERIOR – Grassy Point Drawbridge, WI – Railroad – Chart 14966

The Burlington Northern Santa Fe Railway Co. will be commencing railroad operations on 01 February 05 and concluding on 31 March 05. The hours of operation are from 0800 to 2400/Monday-Sunday. The Burlington Northern Santa Fe Railway Co. can be contacted on VHF-FM channel 16. There will be repair of bearings on the swing gear drive. For further information, contact Mr. Sherman Beck at (715) 394-1355. [04/05]

SUMMARY OF DREDGING/CONSTRUCTION OPERATIONS IN EFFECT

The LNM column is where the entry originally appeared and where detailed information may be obtained. The dates listed for completions are tentative.

Location	LNM	Subject	Hours / Days	Until
<u>LAKE ONTARIO</u>				
Irondequoit Bay, NY	45/04	BRIDGE CLOSURE	VARIOUS	31 MAR 05
<u>LAKE ERIE</u>				
Cleveland, OH	34/04	DREDGING	VARIOUS	03 JUN 07
Erie Harbor, PA	37/04	WAMS ANALYSIS	VARIOUS	TBD
Black Rock Lock, NY	39/04	DREDGING	VARIOUS	TBD
Toledo, OH	43/04	BASCULE REPLACEMENT	VARIOUS	07 MAR 05
Maumee River, OH	43/04,45/04	BRIDGE CLOSURE	VARIOUS	07 MAR 05
Buffalo Harbor, NY	28,35,47/04	BRIDGE MAINTENANCE	VARIOUS	31 JUL 05
Maumee River, OH	48/04	BRIDGE CLOSURE FOR REHABILITATION	VARIOUS	07 MAR 05
Ashtabula Harbor, OH	49/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	01 APR 05
Maumee River, OH	49/04	BRIDGE CLOSURE FOR REHABILITATION	VARIOUS	07 FEB 05
Cuyahoga River, OH	52/04	SCHEDULED BRIDGE MAINTENANCE	VARIOUS	13 FEB 05
Cleveland Harbor, OH	53/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	14 MAR 05
<u>DETROIT RIVER</u>				
Fleming Channel, MI	25/04	BARGE OPERATIONS	24 HRS/ 7 DAYS A WK	TBD
East and West Channel	37/04	WAMS ANALYSIS	VARIOUS	TBD
<u>ST CLAIR RIVER</u>				
Pine River, MI	44/04,45/04	SUBMARINE CABLE REPLACEMENT	0700-1700/MON-SAT	15 MAR 05
<u>LAKE HURON</u>				
Alpena Harbor, MI	37/04	WAMS ANALYSIS	VARIOUS	TBD
<u>STRAITS OF MACKINAC</u>				
Straits of Mackinac	21/04	BRIDGE MAINTENANCE - PAINTING	VARIOUS	DEC 06
<u>LAKE MICHIGAN</u>				
Manistee Harbor, MI	35/04	BRIDGE MAINTENANCE AND CLOSURE	24 HRS/ 7 DAYS A WK	30 APR 05
St. Joseph River, MI	43/04	REHABILITATION UPGRADES	VARIOUS	15 MAR 06
Indiana Harbor, IN	28/04	REPORTED OBSTRUCTION	24 HRS/ 7 DAYS A WK	TBD
Milwaukee Harbor, WI	43/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	01 APR 05
Green Bay Harbor, WI	47/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	01 APR 05
Green Bay Harbor, WI	49/04	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	01 APR 05
Chicago Harbor, IL	50/04	BRIDGE CLOSURES SCHEDULED MAINTENANCE	VARIOUS	31 MAR 05
Chicago Harbor, IL	22/04,51/04	BRIDGE MAINTENANCE	0700-1630/ MON – FRI	15 MAR 05
St. Joseph River, MI	52/04	WINTER OPERATING SCHEDULE	VARIOUS	28 FEB 05
Sturgeon Bay, WI	01/05	WINTER BRIDGE OPERATING SCHEDULE	VARIOUS	15 MAR 05
<u>ST. MARY'S RIVER</u>				
Sault Ste Marie Locks, MN	51/04	BRIDGE CLOSURE FOR WINTER SEASON	24 HRS/ 7 DAYS A WK	Spring 2005
<u>LAKE SUPERIOR</u>				
Superior, WI	04/05	RAILROAD	0800-2400/ MON – SUN	31 MAR 05

VIII. LIGHT LIST CORRECTIONS, VOL VII, GREAT LAKES

(* Denotes the column in which a correction has been made or new information added.)

(1) No.	(2) Name and location	(3) Position	(4) Characteristic	(5) Height	(6) Range	(7) Structure	(8) Remarks
10010	NOAA Lighted Weather Buoy 45008	44 16 30 N 82 24 54 W	Fl (4) Y 20s 1s fl 1.5s ec. 1s fl 1.5s ec. 1s fl 1.5s ec. 1s fl 11.5s ec			Yellow disc-shaped hull	Replaced by can from Dec. 1 to Apr. 1

*

04/05

1385	Keewaydin State Park Breakwater Light	44 19 22 N 75 56 12 W	Fl G 4s	10 3	Green daymark on steel post.	Maintained from May 1 to Nov. 1. Private aid. * 04/05
4560	-Breakwater Light	41 30 00 N 82 42 30 W	Oc W 4s	30 9	16 White cylindrical tower with green band.	HORN: 1 blast ev 30s (3s bl). (3s bl-27s si). Operates from Apr. 1 to Dec. 1. * 04/05
Add Heading *Davis Bease Security Zone						
5950	Davis-Bease Nuclear Power Plant Obstruction Buoy	41 36 24 N 83 06 12 W			Orange and white regulatory buoy marked SUBMERGED CRIB	Maintained from Apr. 1 to Nov. 15 Private aid. 04/05
6015 ANCHOR POINTE MARINA						Remove from list. * 04/05
Add Heading: *Enrico Fermi 2 Nuclear Power Plant No Entry Buoys *Buoys maintained from April 1 until December 1.						
6716	Buoy A	41 58 26 N 83 15 20 W			White with orange bands	Private aid. 04/05
6740	-Lighted Buoy 7 *		Fl G 2.5s		Green. *	Private aid. 04/05
8665	-MUNICIPAL PIER NORTHEAST LIGHT	42 22 50 N 82 54 13 W	FY	18 5	On post	Maintained from Apr. 15 to Nov. 1. Private aid. * 04/05
8670	-MUNICIPAL CHANNEL LIGHTED BUOY 4		Fl R 4s		Red Nun	Maintained from Apr. 15 to Nov. 1. Private aid. * 04/05
8921.1	West Entrance 2	42 34 07 N 82 49 04 W *			Red nun.	Private aid. 04/05
8922	East Entrance 1	42 34 07 N 82 48 48 W *			Green can.	Private aid. 04/05
8922.1	East Entrance 2	42 34 07 N 82 48 46 W *			Red nun.	Private aid. 04/05
10010	<i>NOAA Lighted Weather Buoy 45008</i>	44 16 30 N 82 24 54 W	Fl (4) Y 20s 1s fl 1.5s ec. 1s fl 1.5s ec. 1s fl 1.5s ec 1s fl 11.5s ec		Yellow disc-shaped hull	Replaced by can from Dec 1 to Apr. 1 * 04/05
*Add heading: Thunder Bay National Marine Sanctuary *(Buoys maintained May 1 through Oct 31)						
11450	TBNMS Wreck Mooring Buoy	44 57 55 N 83 06 10 W	Fl W 1s			Mooring buoy "Pewabic" Private aid 04/05
12715	<i>Wreck Island Lighted Buoy 6</i> *		Fl R 2.5s	4	Red.	Maintained from May 14 to Oct. 28. 04/05
13915	<i>-Lighted Buoy 6A</i> *		Q R	4	Red.	 04/05
15527	BAYFIELD FERRY LANDING BREAKWATER LT 2 *	46 48 43 N 90 48 39 W	Fl R 4s	25 8	On post	Maintained from Apr. 15 to Nov. 15. Private aid. * 04/05
15582	LITTLE SAND BAY HARBOR WEST LIGHT 2 *	46 56 47 N 90 53 33 W	Fl R 2.5s	17 5	On post	Private aid 04/05

17420	Surveyor's Island Light 43	48 31 06 N 92 37 42 W	FI G 4s *		SG on skeleton tower		04/05
18290	DUNCAN L. CLINCH YACHT HARBOR LIGHT 1	44 46 04 N 85 37 20 W	FI G 2.5s	22 7	On pile. 3SG	Maintained from May 1 to Nov. 1 Private Aid. *	04/05
				*	*		
18291	DUNCAN L. CLINCH YACHT HARBOR LIGHT 2	44 46 06 N 85 37 19 W	FI R 2.5s	22 7	On pile. 4TR	Maintained from May 1 to Nov. 1 Private Aid. *	04/05
				*	*		
19025	- Buoy 10				Red nun.	*	04/05
21797	Yacht Works Marina West Breakwall Light "A"	45 12 12 N 87 07 16 W	FI W 4s	22 7	3NB "A"	Private aid	04/05
				*	*		

IX. ENCLOSURES

(1) Safety Zones; Captain of the Port Buffalo Zone.

R J. PAPP, JR
Rear Admiral, U. S. Coast Guard
Commander, Ninth Coast Guard District

SUMMARY: The Coast Guard is establishing permanent safety zones on a portion of Lake Ontario. These safety zones are necessary to ensure the safety of spectators and vessels from the hazards associated with fireworks displays. These safety zones restrict vessel traffic from portions of Lake Ontario, New York, during annual fireworks displays.

DATES: This rule is effective February 22, 2005.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD9-02-009 and are available for inspection or copying at U.S. Coast Guard Marine Safety Office Buffalo, 1 Fuhrmann Blvd., Buffalo, NY 14203 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LT Craig A. Wyatt, U.S. Coast Guard MSO Buffalo, (716) 843-9570.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On May 10, 2002, the Coast Guard published an NPRM in the Federal Register proposing 14 safety zones for annual firework displays in the Captain of the Port Buffalo zone (67 FR 31747). We received no comments on the proposal. No public hearing was requested, and none held.

Background and Purpose

On May 10, 2002, the Coast Guard published an NPRM in the Federal Register proposing 14 safety zones for annual firework displays in the Captain of the Port Buffalo zone (67 FR 31747). We proposed these safety zones to control vessel traffic within the immediate location of the fireworks launching area during annual fireworks displays. The Coast Guard received no comments in response to this NPRM.

On May 3, 2004, the Coast Guard published a supplement to the proposed regulation (69 FR 24112-1), which removed twelve events that were proposed in the NPRM, added four new events (Ontario Memorial Day Fireworks, Ontario, NY; Olcott Fireworks, Olcott, NY; Harbor Sound and Light Festival, Sackets Harbor, NY; Village of Sackets Harbor July 4 Display, Sackets Harbor, NY), and revised the location and time of two events (Oswego Independence Day Fireworks, and Oswego Harborfest Fireworks Display). This final rule establishes 6 permanent safety zones that will be enforced for marine events occurring annually at the same location.

Based on recent accidents that have occurred in other Captain of the Port zones, and the explosive hazard associated with these events, the Captain of the Port has determined that fireworks launched in close proximity to watercraft pose a significant risk to public safety and property. The likely combination of large numbers of inexperienced recreational boaters, congested waterways, darkness punctuated by bright flashes of light, alcohol use, and debris falling into the water could easily result in serious injuries or fatalities. Establishing a safety zone to control vessel movement in the vicinity of these marine event locations will help ensure the safety of persons and property at these events and help minimize the associated risk.

Establishing permanent safety zones provides better notice than promulgating temporary rules annually, and decreases the amount of annual paperwork required for these events. The Coast Guard has not previously received notice of any impact caused by safety zones created for these events in the past.

Discussion of Comments and Changes

The Coast Guard received no comments regarding the proposed rulemaking.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed this rule under that order. It is not significant under the regulatory policies and procedures of the Department of Homeland Security (DHS). We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

This determination is based on the minimal time that vessels will be restricted from the zones, and all of the zones are in areas where the Coast Guard expects insignificant adverse impact to mariners from the zones activation.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will to have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which might be small entities: The owners or operators of commercial vessels intending to transit a portion of an activated safety zone. These safety zones will not have a significant economic impact on a substantial number of small entities for the following reasons: The safety zones are only enforced for a few hours on the day of the event on an annual basis. Vessel traffic can safely pass outside the safety zones during the events.

In cases where traffic congestion is greater than expected or blocks shipping channels, with the permission of the Captain of the Port Buffalo, traffic may be allowed to pass through the safety zones under Coast Guard or assisting agency escort. Before the annual enforcement period, the Coast Guard will publish a notice of implementation of regulation in the Federal Register, and will issue maritime advisories in the Ninth Coast Guard District Local Notice to Mariners, Marine Information Broadcasts and facsimile broadcasts--forums widely available to users who might be in the affected area. Additionally, the Coast Guard has not received any negative reports from small entities affected during these displays in previous years.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see ADDRESSES) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this rule so that they can better evaluate its effects and participate in the rulemaking process. If the rule will affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Marine Safety Office Buffalo (see ADDRESSES).

Small businesses may send comments on actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule does not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule does not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b) (2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

The Coast Guard has analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction, from further environmental documentation. This rule fits the category from paragraph (34)(g) because it establishes a security zone.

Under figure 2-1, paragraph (34)(g), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165--REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation no. 0170.1.

2. Add Sec. 165.914 to read as follows:

Sec. 165.914 Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone.

(a) Safety zones. The following areas are designated safety zones:

(1) Oswego Independence Day Fireworks, Oswego, NY.

(i) Location. All waters of Oswego Harbor, in Lake Ontario, within a 1,000-foot radius of the fireworks barge moored or anchored in approximate position 43[deg]28'05" N, 076[deg]31'01" W (NAD 1983).

(ii) Enforcement date. The first Sunday in July.

(2) Oswego Harborfest Fireworks Display, Oswego, NY.

(i) Location. (A) All waters of Oswego Harbor within a 300-yard radius around the fireworks barge located at 43[deg]28'08" N, 076[deg]31'07" W (NAD 1983).

(B) All waters surrounding the fireworks display on the western break wall; 43[deg]27'55" N, 076[deg]31'30" W then to 43[deg]28'03" N, 076[deg]31'12" W then to 43[deg]27'54" N, 076[deg]31'06" W then to 43[deg]27'48" N, 076[deg]31'26" W then back to the point of origin (NAD 1983).

(ii) Enforcement date. The last Saturday during the last full week of July.

(3) Ontario Memorial Day Fireworks, Ontario, NY.

(i) Location. All waters of Lake Ontario within a 200-yard radius of the fireworks display at Bear Creek Harbor located in position 43[deg]16'39" N, 077[deg]16'35" W (NAD 1983).

(ii) Enforcement date. Memorial Day, the last Monday in May.

(4) Olcott Fireworks, Olcott, NY.

(i) Location. All waters of Lake Ontario within a 300-yard radius of the fireworks display on the west break wall of the Olcott Harbor entrance located in position 43[deg]20'25" N, 078[deg]43'09" W (NAD 1983).

(ii) Enforcement date. July 3.

(5) Harbor Sound and Light Festival, Sackets Harbor, NY.

(i) Location. All waters of Lake Ontario within a 300-yard radius of the fireworks display on the beach just southwest of Mill Creek located in position 43[deg]57'18" N, 076[deg]06'35" W (NAD 1983).

(ii) Enforcement date. The second Saturday in June.

(6) Village of Sackets Harbor July 4 Display, Sackets Harbor, NY.

(i) Location. All waters of Lake Ontario within a 200-yard radius of the fireworks display on the beach of Battlefield State Park located in position 43[deg]56'56" N, 076[deg]07'43" W (NAD 1983).

(ii) Enforcement date. July 4.

(b) Regulations. (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed.

(3) Commercial vessels may request permission from the Captain of the Port Buffalo to transit the safety zone. Approval will be made on a case-by-case basis. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. The Captain of the Port may be contacted via U.S. Coast Guard Group Buffalo on Channel 16, VHF-FM.

(4) Marine Event Permits (CG-4423) will still need to be sent to U.S. Coast Guard Group Buffalo, NY.

(c) Notice of annual enforcement period. The Captain of the Port Buffalo will publish, at least 10 days in advance of each annual event, a notice of implementation of regulation in the Federal Register. The COTP may also issue notices in the Ninth Coast Guard District Local Notice to Mariners the dates and times this section will be enforced each year.

Dated: November 15, 2004.

P.M. Gugg,

Commander, U.S. Coast Guard, Captain of the Port Buffalo.

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